

# John Wagstaff Associates

Hidden Land Barn, Main Road, Biddenham, Bedford MK40 4BE  
T: M: E:

Council of the Isles of Scilly  
Planning Department  
By email

16<sup>th</sup> September 2015

Dear Andrew and Lisa

**Objections to Applications P/15/066, P/15/067, P/15/068 (Men-a-Vaur site) and P/15/060 Tregarthens Hotel.**

For the benefit of others I am not an Islander but my partner Liz is a Scillonian who has returned home to Nundeeps B & B in Rams Valley and, like her neighbours, will be affected if any of these Applications were to be Approved.

**Starting with P/15/066, alterations to Men-a-Vaur house converting it to a hostel.**

**Errors on Application Form:**

Clause 7 Waste Storage and Collection. Where is this? See also later.

Clause 9 Materials. Where on drg.821 is this shown?

Clause 10 Vehicle Parking. The space allocated cannot include the garage as this is already stated in P/15/066 as being for storage. The only other space with vehicular access to Church Road is the ground floor passageway under the upper storeys of Men-a-Vaur which is only (measured from the drawings) 2.15m and therefore below the minimum width standard for parking.

Clause 11 Foul Sewage. It is stated that this will be connected to the mains sewer by connecting to the existing drainage system, but there is no information in the box provided, nor any drawing that I can find. See also later in 'Where are the plans...'

Clause 15 Trees and Hedges. The answer 'yes' is perfectly true, there is much mature hedging and several mature trees remaining. To have submitted 'no' in the next box is ludicrous. If any development of this back garden is to be allowed then as much vegetation as possible should be retained.

Clause 20 Hours of Opening. The answer given is 'not known'. This is not acceptable because all the people living in the vicinity have a right to know. Especially as there have been justified complaints of noise and nuisance caused by the use of the existing Men-a-Vaur.

Where on the plans are the areas (Application Clause 7) to store and aid the collection of waste and (separately) recyclable waste? Not in the garage or shed because they are stated to continue to be used for onsite storage for Men-a-Vaur or Tregarthens Hotel or for storage of push bikes for the inhabitants.

Where are the plans referred to in the Application Clauses 9 Materials (states S822) and 11 Foul Drainage – very important because 3 access chambers on the Existing and Proposed Site plans are shown as blocked – (states S822)? These drawings do not appear to accompany the Application and in the case of the Foul Drainage this is most unfortunate as there are substantiated reports of regular flooding in the back garden of 4 Branksea Close and also in Rams Valley, where it backs up to the inspection chamber in the garden of Nundeeps, causing stench within the house. There are, apparently, also problems with drainage in Church Road so it is difficult to see how the foul drainage problem is going to be solved.

#### Non-Compliance with The Isles of Scilly Local Plan.

There is a fundamental clash with 'Policy 3 – Housing' of the Local Plan because the proposal would result in a net loss to the residential housing stock which is not permitted. The case put forward is that the works currently proposed at Tregarthens Hotel, which would ultimately result in the loss of all on-site staff accommodation hence the need for this application and the two others, will revitalise and maximise the spatial and economic potential for the Island. Clause 27 states 'new accommodation for staff in association with a business may be permitted if justified and where it is, if possible, integral with or sited close to the relevant business....'.

The Design and Access Statement for Men-a-Vaur equates the provision of staff accommodation for the Island (here) with the sustaining of a more financial viable business, ie Tregarthens Hotel and I believe strongly that this is unacceptable.

**Accordingly for all the reasons given I object and believe this Application should be refused.**

#### Next P/15/067 New Hostel Block 1.

##### Errors on Application Form:

Clause 5 Feedback received: This is feedback from P/15/060 and is not relevant.  
Clause 7 Waste Storage and Collection. The shed is already allocated in P/15/066 for storage of pushbikes.

Clause 9 Materials. Where on drg.821 is this shown?

Clause 10 Vehicle Parking. The space allocated cannot include the garage as this is already stated in P/15/066 as being for storage. The only other space with vehicular access to Church Road is the ground floor passageway under the upper storeys of Men-a-Vaur which is only (measured from the drawings) 2.15m and therefore below the minimum width standard for parking.

Clause 11 Foul Sewage. It is stated that this will be connected to the mains sewer by connecting to the existing drainage system, but there is no information in the box provided nor any drawing that I can find.

Clause 15 Trees and Hedges. The answer 'yes' is perfectly true, there is much mature hedging and several mature trees remaining. To have submitted 'no' in the next box is ludicrous. If any development of this back garden is to be allowed then as much as much vegetation as possible should be retained.

Clause 18 Non-Residential Floorspace. The figures for 'total gross' and for 'net' are both given as 93 sq.m but the figures quoted in the Design & Access Statement are current (ie existing Men-a Vaur) gross external floor area 108 sq.m and proposed 274 sq.m – an increase of 166 sq.m for the block proposed. Measurement of the block from the floor plans gives c.178 sq.m net internal floor space. Significantly higher than stated on the Application form.

Clause 20 Hours of Opening. The answer given is 'not known'. This is not acceptable because all the people living in the vicinity have a right to know. Especially as there have been justified complaints of noise and nuisance caused by the use of the existing Men-a-Vaur.

Inaccurate drawings. Existing Site Plan. Please also see my Sketch 1 attached.

No historic well shown in garden. No trees are shown in garden, including those mature trees knocked-down recently and still present. The top North Eastern corner of the site is not shown. Importantly the single storey rear extension to 8 Branksea Close, being a living room for the disabled occupant and having glazed doors and windows overlooking the site, is not shown.

Information not provided on Proposed Site Plan.

Floor level of Block 1 and location of entrance, location of footpaths on the site, any new boundary treatment, location of windows and doors to the proposed building – and all the information not listed on the Existing Site Plan.

This is essential information and the consequences are that it is not possible to see how the level access can be obtained to enable compliance with Part M of the Building Regulations – neither is it possible to appreciate how the windows and doors will have an adverse and non-compliant effect on adjacent properties.

Inaccurate proposed Floor Plans and Elevations.

The Floor Plans and Elevations show the entrance in different locations. The lavatories on the ground floor mentioned in the Design and Access Statement do not exist.

**For all these reasons I object.**

Non-Compliance with The Isles of Scilly Local Plan.

Policy 1 – Environmental Protection. All development proposals will only be permitted where they conserve or enhance the Area of Outstanding Natural Beauty.

**It is impossible to believe that the construction of this Block can possibly satisfy this policy and I therefore object and believe this Application should be refused.**

Incidentally simply tidying the garden would provide enhancement.

## Non-Compliance with The Isles of Scilly Design Guide.

03 Adjacent properties. Relating to neighbours. Maintaining privacy and preventing overshadowing.

The proposed building does not comply with the 45 degree principle regarding both 8 Branksea Close and Castinicks, Rams Valley. Please see the attached Sketches 1 & 2 and Photographs.

04 Infill projects. Backland – overlooking problems will need to be resolved.

Due to the 1m chain link boundary fence there would be overlooking of Castinicks from most of the windows on the South-facing elevation at both ground and first floor windows. There would also be overlooking of the rear living room of 8 Brownsea Close from the closest first floor windows on the North-facing elevation. Again please see the attached Sketches and Photographs.

05 The Site. If the building is located close to the boundary be aware that (for example) windows may cause loss of privacy to habitable rooms / sitting out areas.

Loss of privacy would result – especially to Castinicks where much of the rear/side garden and the rear habitable rooms will lose all privacy. Again please see the attached Sketches and Photographs.

**For all these 3 Non Compliances I object and believe this Application should be refused.**

### **P/15/068 New Hostel Block 2**

#### Errors on Application Form:

Clause 5 Feedback received: This is feedback from P/15/060 and is not relevant  
Clause 7 Waste Storage and Collection. The shed is already allocated in P/15/066 for storage of pushbikes and again the shed and garage are both stated in P/15/067 as can be used for pushbikes. So where are the additional pushbikes to be stored for this Application?

Clause 9 Materials. Where on drg. S821 is this shown?

Clause 10 Vehicle Parking. The space allocated cannot include the garage as this is already stated in P/15/066 and P/15/067 as being for storage. The only other space with vehicular access to Church Road is the ground floor passageway under the upper storeys of Men-a-Vaur which is only (measured from the drawings) 2.15m and therefore below the minimum width standard for parking.

Clause 11 Foul Sewage. It is stated that this will be connected to the mains sewer by connecting to the existing drainage system, but there is no information in the box provided nor any drawing that I can find.

Clause 15 Trees and Hedges. The answer 'yes' is perfectly true, there is much mature hedging and several mature trees remaining. To have submitted 'no' in the next box is ludicrous. If any development of this back garden is to be allowed then as much as much vegetation as possible should be retained.

Clause 18 Non-Residential Floorspace. The figures for 'total gross' and for 'net' are both given as 69 sq.m but the figures quoted in the Design and Access Statement are current (ie existing Men-a-Vaur) gross external floor area 108 sq.m and proposed 274 sq.m – an increase of 166 sq.m for the block proposed. Measurement of the block from the floor plans gives c.173 sq.m net internal floor space. Significantly higher than stated on the Application form  
Clause 20 Hours of Opening. The answer given is 'not known'. This is not acceptable because all the people living in the vicinity have a right to know. Especially as there have been justified complaints of noise and nuisance caused by the use of the existing Men-a-Vaur.

Inaccurate drawings. Existing Site Plan. Please also see my Sketch 1 attached.

No historic well shown in garden. No trees are shown in garden, including those mature trees knocked-down recently and still present. The top North Eastern corner of the site is not shown. Importantly the single storey rear extension to 8 Branksea Close, being a living room for the disabled occupant and having glazed doors and windows overlooking the site, is not shown.

#### Information not provided on Proposed Site Plan.

Floor level of Block 2 and location of entrance, location of footpaths on the site, any new boundary treatment, location of windows and doors to the proposed building – and all the information not listed on the Existing Site Plan.

This is essential information and the consequences are that it is not possible to see how the level access can be obtained to enable compliance with Part M of the Building Regulations – neither is it possible to appreciate how the windows and doors will have an adverse and non-compliant effect on adjacent properties.

#### Inaccurate proposed Floor Plans and Elevations.

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**For all these 3 Non Compliances I object and believe this Application should be refused.**

### A final objection to all the Applications P/15/066, P/15/067 and P/15/068

From the garden of and rooms within Nundeeps in Rams Valley it would be possible to see both proposed hostel blocks in the rear garden of Men-a-Vaur because they are only c.30m away. Men-a-Vaur itself is only c.45m away. Also if they can be seen that easily they can be heard easily. The situation is worse for other residents in Rams Valley who are closer or whose houses are built on higher land, for example Mr & Mrs Hitchings at Bream Ledge, **who have asked me to register their objection as well.**

The reasons for these Applications are commercial – to enable Tregarthens to expand partly by moving-out their staff to these hostels allowing more profit.

At present Rams Valley can be fairly described as a peaceful residential area, and this development would change that. Some of the homes take B & B guests and there is concern that as well as the loss of personal tranquillity there could be a reduction in the attraction for guests.

**Since tourism is vital to the Islands' economy this is a valid objection I am making.**

There is one other matter I wish to mention. Vehicular Access to the site is restricted from Church Road – hence removal and rebuilding the garage, but the access height beneath the first floor rooms of Men-a-Vaur will be very low for Construction Purposes.

Lest it is believed that Access can be gained from Rams Valley, I attach Sketch 3 confirming that there is no right of access from the Application site to Rams Valley. In fact there remains a low stone wall set back 2 feet from the road kerb (and can be seen behind the foliage) which is the actual site boundary meaning that (for the record) the site area is reduced by c.4 sq.m.

I can also confirm (from title deeds) that the road in front of and beyond Nundeeps is privately owned.

**This, of course, is relevant to all three Applications.**

I have not considered how the fire brigade could access the 2 Blocks in an emergency.

**P/15/060 Demolition, refurbishment and new build at Tregarthens Hotel.**

In order to carry out the changes it is deemed necessary to lose (in two stages – the first before commencing new works) all staff accommodation from the environs of the hotel.

Also it is suggested that the hotel will consequently stay open longer but without putting forward any proposals.

It is also stated that there will be the need for a considerable increase in the number of staff but with no supporting facts.

In any event the staff would need remote accommodation causing disruption and long term inconvenience to the local residents, wherever it were located, **and so for all these reasons I object.**

Yours sincerely

John Wagstaff

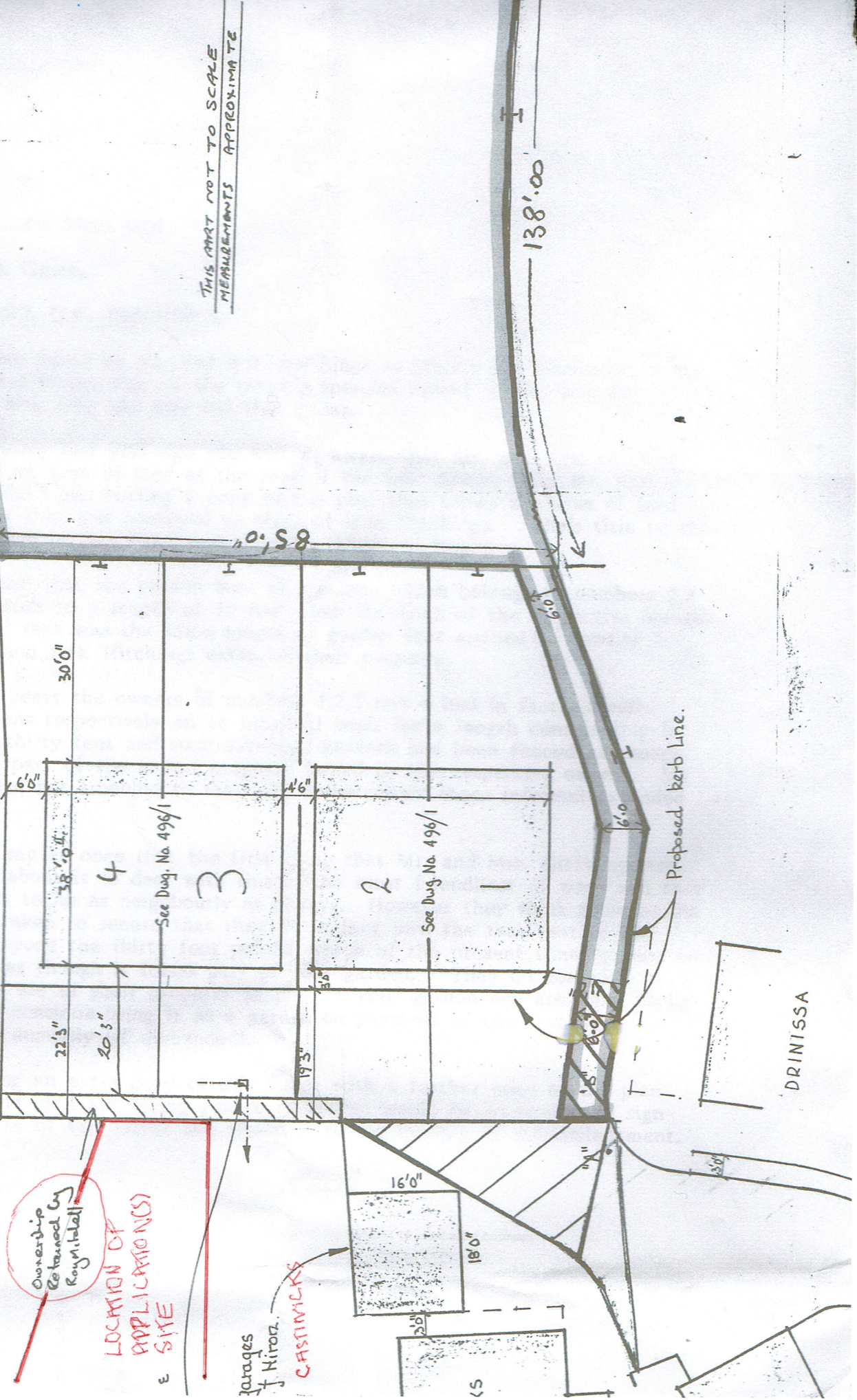






PART OF SITE - OBTAINED FROM THE SOLICITOR OF ONE OF THE RESIDENTS IN RAMS VALLEY  
CONFIRMS NO RIGHTS OF ACCESS FROM APPLICATION SITE TO RAMS VALLEY 13/09/2015

# RAMS VALLEY



THIS PART NOT TO SCALE  
MEASUREMENTS APPROXIMATE

Ownership  
Retained by  
Royal Holloway

LOCATION OF  
APPLICATION(S)  
SITE

Jarages  
J. Nitroz.  
CASTIRICKS

Proposed kerb line.

DRINISSA



